

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Michael Cook,

NO. C 07-05085 JW

NO. C 06-05950 RS

Plaintiff,

v.

**ORDER GRANTING MOTION FOR
RECONSIDERATION; VACATING
NOVEMBER 30, 2007 JUDGMENT;
REFERRING CASE FOR RELATED
CASE DETERMINATION**

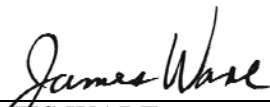
Joanne B. Barnhart, Commissioner of the Social
Security Administration [Michael J. Astrue
became Commissioner on February 1, 2007.]

Defendant.

On November 30, 2007, the Court dismissed Plaintiff's complaint with prejudice and entered judgment for Defendant. (See Docket Item Nos. 5-6.) On December 10, 2007, Plaintiff filed a motion for reconsideration. (See Docket Item No. 7.) For good cause shown, the Court GRANTS Plaintiff's motion for reconsideration and vacates the November 30, 2007 Judgment. The Clerk shall reopen this file.

Plaintiff's claims have been previously addressed in Michael Cook v. United States of America, No. C 06-05950 RS.¹ Pursuant to Civil Local Rule 3-12(c), the Court refers this action to Judge Seeborg for a determination as to whether the actions are related.

Dated: January 3, 2008


JAMES WARE
United States District Judge

¹ Judge Seeborg dismissed the complaint with prejudice on August 7, 2007 on the grounds that Plaintiff had failed to exhaust his administrative remedies.

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Michael Charles Cook
3 T-79529
4 CSP New Folsom
5 P. O. Box 290066
6 Represa, Ca 95671-0066

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8 **Dated: January 3, 2008**

Richard W. Wieking, Clerk

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11 **By: /s/ JW Chambers**

12 **Elizabeth Garcia**
13 **Courtroom Deputy**
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